

NOV. 8. 2001 2:15PM

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# Request For Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/355,214
Filing Date	July 23, 1999
First Named Inventor	Chan
Group Art Unit	1655
Examiner Name	Zitomer, S.
Attorney Docket Number	A-64383-2/RFT/DHR

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Petition for Extension of Time (4 mos.)
- ii. ☒ Response and Amendment
- iii. ☒ Exhibits A and B (to Response and Amendment)
- iv. ☒ Declaration Pursuant to 37 C.F.R. § 1.132, including two articles
- v. ☒ Declaration and Power of Attorney for Patent Application Executed by Andrew C. Chan

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 60-1300 (order no. A-64383-2/RFT/DHR)
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other any additional fees charge to Deposit Account No. 06-1300 (Order No. A-64383-2/RFT/DHR)
- b. ☒ Check in the amount of \$ 1,090.00 (\$370 Filing fee; \$720 Four-Month Extension of Time) is enclosed
- c. ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed
- d. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Richard F. Trecartin	Registration No. 31,801 (Attorney/Agent)	
Signature		Date	November 8, 2001

## CERTIFICATE OF MAILING and TRANSMISSION VIA FACSIMILE

I hereby certify that this correspondence is being transmitted via facsimile to Examiner Zitomer at (703) 746-3148 and being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	Gail Diehl	Date	November 8, 2001
Signature			